

AO 91 (Rev. 08/09) Criminal Complaint

SEALED**UNITED STATES DISTRICT COURT**for the
Western District of Texas

United States of America

v.

DANIEL ODELL

Case No. 5:17-MJ-61

Defendant(s)

FILED

JAN 19 2017

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY KLD
DEPUTY**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of JANUARY 10, 2017 in the county of BEXAR in the
WESTERN District of TEXAS, the defendant(s) violated:*Code Section*
18 U.S.C. 1705*Offense Description*
Destruction of Mail.Penalties: 0-3years imprisonment;
Maximum fine \$250,000 fine;
Maximum 1 year supervised release;
\$100 Mandatory special assessment

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.KAlara*Complainant's signature*

USPS Kathryn D. Lara

Printed name and title

Sworn to before me and signed in my presence.

Date:

1/19/17

City and state:

SAN ANTONIO, TXH J Bemporad*Judge's signature*

HENRY J. BEMPORAD, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT AND
ARREST WARRANT

I, Kathryn D. Lara, being duly sworn, do hereby depose and state:

1. I have been a United States Postal Inspector for since 1995. I am currently assigned to the Houston Division Office in San Antonio, Texas. As part of my duties I investigate the theft of mail, robberies, burglaries, acts of violence directed towards U.S. Postal Service employees, and destruction of mail in violation of Title 18, United States Code, Section 1705. I have participated in investigations, the service of search warrants, the interviewing of suspects, witnesses, informants and other persons having knowledge of violations of the Federal Criminal Code.
2. On or about January 10, 2017, at approximately 11:15am, Highway Contract Carrier for the US Postal Service, Deborah Brimmer (69 yo) was delivering mail to the mailboxes at the Twin Sisters Estates, when a white male subject, later identified as Daniel Odell, parked behind the Carrier's vehicle (red KIA). Odell exited his vehicle (maroon Dodge truck), took an approximately four foot long cedar post from his truck and physically attacked Brimmer's vehicle with the cedar post.
3. According to Ms. Brimmer, Odell exited his vehicle in an agitated state when he took the post from his truck and began to hit the KIA, which had US Postal Service markings on it, causing two large dents on the top of the rear hatch and roof. Odell also hit the rear window of Ms. Brimmer's car causing the glass to shatter onto the ground. Ms. Brimmer stated Odell was in a rage and shouted profanities at her as he then struck her in the lower abdomen and the left shoulder with the cedar post. Ms. Brimmer experienced pain and injury as a result of the attack.

4. In addition to striking Ms. Brimmer, Odell repeatedly struck the US Mail contained within a receptacle used for the delivery of mail. One package that was maliciously struck by Odell with the cedar post broke the liquid-filled bottle contained therein, destroying it. The bottle, now broken, leaked a green fluid onto the other mail contained within the receptacle used for the delivery of mail, injuring it, defacing it and destroying it. Approximately 80 – 100 pieces of US Mail were injured, defaced and destroyed.

5. Father Joseph Dallas, a local priest, was at the mailboxes when the attack occurred against Ms. Brimmer and the mail. The Father witnessed the attack and asked Odell what he was doing. Odell replied, "Fuck you! I'll kill you."

6. Odell got back into his truck and drove up the driveway at 108 Twin Sisters Dr., Spring Branch, where he damaged a second vehicle. After he damaged the other vehicle, Odell left the scene, driving in the direction of his residence.

7. The local police and EMS responded to the scene. EMS provided medical attention to Ms. Brimmer.

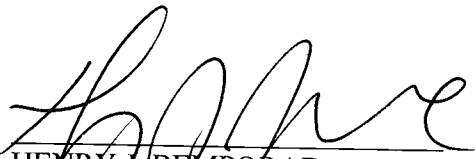
8. Following the assault, an interview was personally conducted with Ms. Brimmer. Ms. Brimmer advised she has delivered mail to Daniel Odell for approximately 15 years and knows him by name and by sight.

9. I swear the information contained in this affidavit is true to the best of my knowledge and belief.



Kathryn D. Lara
US Postal Inspector

SWORN to and subscribed before me this 19th day of January, 2017.


HENRY J. BEMPORAD
UNITED STATES MAGISTRATE JUDGE